

Filed for intro on 02/09/95
Senate Bill _____
By _____

House No. HB0959
By Stamps

AN ACT to amend Tennessee Code Annotated, Title 36, Chapter 5, Part 1, relative to the publication of names of obligors who are delinquent on child support payments.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-5-106, is amended by adding the following new subsection:

Section ____.

Every three (3) months the clerk of every court with jurisdiction over child support matters shall publish in the newspaper of general circulation in each county a list of the names and last known addresses of each person who (1) is a child support obligor, (2) resides in the country, (3) is at least \$3,000 in arrears, and (4) has not made a child support payment, or has made only partial child support payments that total less than 25 percent (25%) of the amount of child support owed, for the last twelve (12) months including any payments made through the interception of federal or state taxes. An obligor's name may not be published if the obligor claims in writing, and the clerk of the court having jurisdiction determines, there is good cause for the nonpayment of child support.

The list must be based on the best information available to the state at the time of publication.

Before publishing the name of the obligor, the clerk of the court having jurisdiction over the case shall send a notice to the obligor's last known address which states the court's intention to publish the obligor's name and the amount of child support the obligor owes. The notice must also provide an opportunity to have the obligor's name removed from the list by paying the arrearage or by entering into an agreement to pay the arrearage, and the final date when the payment or agreement can be accepted.

Said clerk shall insert with the notices sent to the obligee, a notice stating the intent to publish the obligor's name, and the criteria used to determine the publication of the obligor's name.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.